

## JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Technology Acquisition Center  
1701 Directors Blvd. Suite 600  
Austin, Texas 78744
2. Description of Action: The proposed action is for a firm-fixed-price delivery order to provide three brand name Tadiran 24 digital channel cards. VA intends to issue the request for quote under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Governmentwide Acquisition Contract (GWAC). This procurement uses information technology funds.
3. Description of Supplies or Services: The VA, Office of Information and Technology, Quantico Information Technology Center (QITC) requires brand Tadiran 24 digital channel cards in support of the National Cemetery Administration (NCA) St. Louis Scheduling office's Tadiran private branch exchange (PBX) phone system upgrade project. VA issued the Tadiran PBX phone system upgrade delivery order against blanket purchase agreement number VA798A-11-BP-0001 and General Service Administration (GSA) contract number GS-35F-0251J on April 22, 2014. The executed delivery order did not include the Tadiran 24 digital channel cards because the hardware is not listed on Tadiran's GSA contract schedule. VA OI&T QITC requires these cards in order to complete the PBX phone system upgrade. The total estimated price for the proposed action is [REDACTED]
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2)(i)(B), entitled "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."
5. Rationale Supporting Use of Authority Cited Above: This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. Although more than one contract holder is capable of providing the supplies required, competition is limited by restriction to a brand name. By selecting another manufacturer other than Tadiran, VA would not be able to assure hardware compatibility with the Tadiran hardware and software currently being installed at the NCA St. Louis Scheduling office.
6. Effort to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. However, VA determined that limited competition is viable among authorized resellers for this brand name equipment. The solicitation covering this procurement will not be synopsized in the Federal Business Opportunities Page pursuant to FAR 5.202(6).

National Cemetery Administration St. Louis Scheduling Office, Tadiran 24 Digital Channels Cards

7. Actions to Increase Competition: The Government will continue to conduct market research to learn if there are changes in the market place that would enable future actions to be competed.

8. Market Research: The QITC subject matter experts (SMEs) performed market research in May 2014, by analyzing and comparing technical specifications between the Tadiran 24 digital channel cards, and other commercial off the shelf hardware from manufacturers other than Tadiran, including Oracle Telecom and Samsung. The SMEs final technical analysis found numerous compatibility and interoperability issues between each manufacturer and the Tadiran Wave Replay software/hardware system. The Tadiran 24 Digital Channels hardware allows the Tadiran's telephone digital transmissions to interface with the Tadiran Wave Replay hardware/software system. This interface allows the Tadiran Wave Replay system to convert, record, and store digital phone conversations from the NCA St. Louis Scheduling office employees and the public. In addition, Tadiran will not honor warranty for the PBX system upgrade, if another manufacturer's products are installed. Based on the market research, Tadiran is the only brand capable of providing Tadiran 24 digital channel cards. The Contract Specialist conducted market research in May 2014, by the using Product Verification Tool on the NASA SEWP IV GWAC website. The Product Verification Tool revealed one SDVOSB reseller of Tadiran hardware in Group A. In addition, the same NASA SEWP IV GWAC Product Verification Tool search revealed one woman-owned small business and one small business, in Group C.

9. Other Facts: None.